

DELEGATED FILE NOTE

CASE OFFICER: ...Henry Thomas.....

APPLICATION REFERENCE	BRIEF DESCRIPTION OF DEVELOPMENT	APPLICATION SITE
25/00297/FP	Partial change of use of existing barn to one self-contained annexe including replacement raised roof	Rectory Farm Church Lane Kelshall Royston Hertfordshire SG8 9SP

Submitted Plan Nos

1426-P01 1426-P02 1426-P03 1426-P04 1426-P05

D1	Sustainable design
D2	House exts, replcmnt dwellings outbuild
D3	Protecting living conditions
CGB1	Rural Areas beyond the Green Belt.
CGB4	Exist buildings in the RA Beyond GB
SP1	Sustainable development in North Herts
SP2	Settlement Hierarchy and Spatial Distrib
HS6	Relatives and dependents accommodation
SP9	Design and Sustainability
HE1	Designated heritage assets
SECN12	Achieving well-designed places
SECN14	Meeting climate change,coastal,flooding

2.0 **Site History**

- 2.1 **25/00045/FPH** – Part conversion and extension to roof of existing outbuilding/ barn to form new annexe that is ancillary to the main property. Fee transferred to 25/00297/FP.
Withdrawn.
- 2.2 **09/00961/1AG** - Erection of agricultural building to store combinable crops and farm machinery
Prior Approval Not Required.
- 2.3 **09/00721/1AG** - Proposed agricultural building.
Prior Approval Required.

3.0 **Representations**

- 3.1 **Site Notice and Neighbour Notification** – None received.
- 3.2 **Kelshall Parish Council** – None received.
- 3.3 **Environmental Health (combined)** – No objection subject to condition.
- 3.4 **HCC Archaeology** – No comment.
- 3.5 **HCC Highways** – No objection.
- 3.6 **Waste and Recycling** – No comment.

4.0 **Planning Considerations**

4.1 **Site and Surroundings**

- 4.1.1 The site consists of a farmyard and farm house on the south side of Church Lane in semi-rural part of Kelshall. The existing barn sits at the front of the site and faces towards the Farmhouse which lies parallel. Both buildings sit perpendicular to the road. The site has a shared driveway and parking area with the farm house. The application site is located within the Rural Area Beyond the GreenBelt.

4.2 **Proposal**

- 4.2.1 Partial change of use of existing barn to one self-contained annexe including replacement raised roof

- 4.2.2 The proposal seeks to increase the ridge height of the gable roof from 3.2m to 4.5m and lift the eaves from 2.2m to 2.6m. The proposal seeks to use materials to match the existing: black timber weatherboarding walls, slate roof tiles and white timber casement windows.

4.3 **Key Issues**

- 4.3.1 The key issues for consideration are as follows:

- The acceptability of the design of the proposed development and its resultant impact on the character and appearance of the area.
- The impact that the proposed development would have on the living conditions of neighbouring properties.
- The impact that the proposed development would have on car parking provision in the area.
- The impact that the proposed development would have on the environment.
- The impact that the proposed development would have on the Rural Area Beyond the GreenBelt.

Principle of the proposed development

- 4.3.2 This site is located within a semi- rural context within Kelshall, a category B village. Policy SP2 permits general development which does not extend the built core of the village. The proposal seeks the conversion of an existing barn with neighbouring dwellings to the north and east and farm buildings to the south. I therefore consider that the proposal would not extend the built core of the village and is compliant with Policy SP2.
- 4.3.3 The proposal would also be located within a Rural Area beyond the Green Belt where there is a presumption against new development. The criteria of Policy CGB1 states:

In the Rural Areas beyond the Green Belt, as shown on the Policies Map, planning permission will be granted provided that the development:

- a) Is infilling development which does not extend the built core of a Category B village;*
- b) Meets a proven local need for community facilities, services or affordable housing in an appropriate location;*
- c) Is strictly necessary for the needs of agriculture or forestry;*
- d) Relates to an existing rural building;*
- e) Is a modest proposal for rural economic development or diversification; or*
- f) Would provide land or facilities for outdoor sport, outdoor recreation and cemeteries that respect the generally open nature of the rural area.*

4.3.4 The proposal seeks to convert an existing barn within a farmyard. As such, Policy CBG1 d) is then supported by policy CGB4 which provides further guidance for existing buildings within the Rural Area beyond the Green Belt. Stating that:

a) Planning permission for the re-use, replacement or extension of buildings in the Rural Area beyond the Green Belt will be granted provided that:

b) Any existing building to be converted for re-use does not require major extension or reconstruction;

c) The resultant building(s) do not have a materially greater impact on the openness, purposes or general policy aims of the Rural Area beyond the Green Belt than the original building(s); and

d) Any outbuilding(s) are sited as close as possible to the main building(s) and visually subordinate to them.

4.3.5 This proposal is therefore considered against clause b of CGB4. To facilitate the conversion of the barn the proposal seeks to raise the roof, alterations to the openings and the insertion of front, side and rear windows and steps to a rear garden. Given that the footprint of the building remains unchanged, and the building will remain single storey I consider that the proposal would be compliant with Policy CGB1 and CGB4 of the Local Plan.

4.3.6 The application form indicates that the annexe is required to provide accommodation for the applicant's parents. Given that the annexe would be within the converted barn space and is within the driveway area, I consider that it would be subordinate to the main house in scale terms. There are sufficient facilities for the occupiers to not be dependent on the main house, however, access would be shared off the existing driveway and there would be limited dedicated garden or amenity space. For this reason, a condition will be attached to restrict the occupancy of the annexe to fully meet the requirements of Policy HS6. A footnote to this policy also indicates that justification must be provided for a free-standing annexe whereby it is not possible to adapt the main house for the accommodation. The applicant has advised that space within the house is required for accommodation of the existing family and therefore, there is insufficient space for adapting the main dwelling into the annexe. I consider that this is an acceptable justification for the freestanding annexe hereby proposed.

Design and Appearance

4.3.6 The proposed design, scale and materials are typical for barn conversions seen within other parts of the district. The barn is set back from the highway by 15m and would have some screening from the trees at the front of the site. Whilst it would be visible when driving down the road, given the reasons stated above I do not consider this view to be harmful.

4.3.7 The proposal therefore complies with Policy D1, D2 and HE1 of the Local Plan and Section 12 and 14 of the NPPF.

Heritage Impact

4.3.8 The proposed annexe would be approximately 53m from the Grade II listed neighbouring dwelling known as Old Rectory and 70m from the Grade II* Church of St Faith and 15m

from the road. Given these distances and the screening provided by the trees, I do not consider that the alterations to an existing barn to facilitate an annexe would be harmful to the setting or significance of these buildings. In addition, the proposed materials and design of the annexe is considered suitable for the semi-rural character of the village. The proposal therefore complies with Policy HE1 and Section 16 of the NPPF.

The impact of the development on living conditions

4.3.9 The proposed development would be sited away from any neighbouring dwellings and therefore would not have any adverse impact. The dwelling benefit from ample amenity space for future occupiers.

4.3.10 The proposal therefore complies with Policy D3 of the Local Plan.

Highway and parking matters

4.3.10 The site benefits from a large area of hardstanding providing ample parking for both the existing farmhouse and the proposed annexe. The proposal is therefore compliant with Policy T2.

Biodiversity Net Gain (BNG)

4.3.11 The proposed development is considered 'de minimis' and would not exceed the threshold of 25 sqm of on-site habitat, or and/ less than 5 meters of linear habitats. This application is therefore exempt from BNG legislation defined under article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Environmental matters

4.3.12 The site is within Flood Zone 1 of the Environment Agency's Flood Map and therefore has a low risk of flooding. Surface water drainage issues could be dealt with by planning conditions.

4.3.13 Section 14 of the NPPF sets out how the planning system should support the transition to a low carbon future. The principles set out in Section 14 are reflected in Policy D1 of the North Herts Local Plan, which sets out that development proposal should take all reasonable opportunities to reduce energy consumption and waste, retain existing vegetation and propose new appropriate planting, and future proof for changes in technology and lifestyle.

4.3.14 The proposed development, would have no significant implications for the local environment in terms of carbon emissions. The proposed development would be generally in compliance with Section 14 of the NPPF and Policy D1.

Other Matters

- 4.3.15 Regarding the suggested condition from HCC Highways for Cycle Storage. Given that the barn will retain a storage area and the proposed annexe is a retirement property for elderly parents. I do not find that the condition is necessary.

4.4 **Conclusion**

- 4.4.1 The proposed development is considered acceptable and in accordance with Policies SP1, SP2, SP9, HS6, D1, D2, D3, CGB1, CGB4 and HE1 of the NHLP 2011-2031 and Sections 2, 12, 14 and 16 of the NPPF 2023.

4.5 **Alternative Options**

- 4.5.1 N/A

4.6 **Pre-Commencement Conditions**

- 4.6.1 N/A

5.0 **Recommendation**

- 5.1 That planning permission be **GRANTED** subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out wholly in accordance with the details specified in the application and supporting approved documents and plans listed above.

Reason: To ensure the development is carried out in accordance with details which form the basis of this grant of permission.

3. No development approved by this permission shall take place until a Phase 2 investigation report, as recommended by the previously submitted STM Environmental Ltd report dated 11th April 2025 (Ref: PH1-2025000044), has been submitted to and approved in writing by the Local Planning Authority. Where found to be necessary by the phase 2 report a remediation strategy to deal with the risks associated with contamination of the site shall also be submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall include an options appraisal giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency action.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

4. Prior to any permitted dwelling being occupied a validation report shall be submitted and approved in writing by the Local Planning Authority to demonstrate the effectiveness of any agreed Remediation Strategy. Any such validation shall include responses to any unexpected contamination discovered during works.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

5. In the event that contamination is found at any time when carrying out the approved development, it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall then be undertaken by a competent person, in accordance with BS10175:2011. A written report of the findings should be forwarded for approval to the Local Planning Authority. Following completion of remedial measures a verification report shall be prepared that demonstrates the effectiveness of the remediation carried out. No part of the development should be occupied until all remedial and validation works are approved in writing.

Reason: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990.

6. The residential annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwellinghouse known as Rectory Farm

Reason: To avoid the creation of a new dwelling contrary to the planning policies applicable to the area and to avoid the occupation of two separate dwellings by persons unconnected with each other as this would result in an unsatisfactory relationship and inadequate standard of amenity for both properties and to comply with Policy HS6 of the North Hertfordshire Local Plan 2011 to 2031.

Biodiversity Net Gain

This development is not subject to the statutory Biodiversity Gain Plan condition because it is considered exempt under the statutory exemptions (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>) or transitional arrangements in respect of the biodiversity gain condition.

Proactive Statement:

Planning permission has been granted for this proposal. Discussion with the applicant to seek an acceptable solution was not necessary in this instance. The Council has therefore acted proactively in line with the requirements of the Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Informative/s:

1. The applicant is advised that the storage of materials associated with the construction of this development should be provided within the site on land which is not public highway, and the use of such areas must not interfere with the public highway. If this is not possible, authorisation should be sought from the Highway Authority before construction works commence.

Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

2. It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to wilfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence.

Further information is available via the County Council website at:
<https://www.hertfordshire.gov.uk/services/highways-roads-and-pavements/business-and-developer-information/business-licences/business-licences.aspx> or by telephoning 0300 1234047.

3. It is an offence under section 148 of the Highways Act 1980 to deposit compost, dung or other material for dressing land, or any rubbish on a made up carriageway, or any or other debris on a highway to the interruption of any highway user. Section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development and use thereafter are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway.

Further information is available by telephoning 0300 1234047.

4. Should roosting bats or evidence of roosting bats, (the presence of bat droppings for example), be discovered during any future redevelopment works, works will cease immediately and the licensed bat ecologist from ELMAW Consulting consulted as to how to proceed lawfully.

Signed  Anne McDonald	Development Management North Hertfordshire District Council Council Offices Gernon Road Letchworth Herts SG6 3JF
Determining Officer Date: 21 May 2025	